

### **REMARKS**

Reconsideration of the rejections set forth in the Office action mailed September 1, 2005 is respectfully requested. Claims 1-48 are now pending; claims 46-48 are added by this amendment.

#### **I. Amendments**

The specification has been amended to update the cross-reference to related applications.

Claim 10 has been amended to correct a typographical error.

Dependent claims 46-48 have been added to recite a particular embodiment of the invention. The subject matter of these claims finds support in the original specification and claims at, for example, the following locations:

each of POLY<sub>A</sub> and POLY<sub>B</sub> is linear: page 6, lines 24-25;

POLY<sub>A</sub> has a molecular weight range selected from about 200-5000: sentence bridging pages 4-5;

POLY<sub>B</sub> has at least two monomeric units: page 5, line 5, and original claim 7;

linkage X comprises an amide linkage: page 5, lines 20-21, and original claim 11;

each of POLY<sub>A</sub> and POLY<sub>B</sub> has an attached functional group Y: page 3, lines 26-27;

said functional groups comprise an amine or protected amine: page 6, lines 16-17;

POLY<sub>A</sub> has at least 100 monomeric units: page 4, line 27;

POLY<sub>B</sub> has 2 monomeric units: page 5, line 8.

No new matter is added by any of the amendments.

#### **II. Obviousness-Type Double Patenting Rejection**

Claims 1-45 were rejected under the judicially created doctrine of obviousness-type double patenting as being directed to an invention not patentably distinct from claims 1-45 of commonly assigned U.S. Patent No. 6,774,180.

A Terminal Disclaimer prepared in accordance with 37 CFR §1.321(b) and (c) is enclosed. The signed Terminal Disclaimer will obviate the above obviousness-type double patenting rejection.

III. Conclusion

In view of the foregoing, the applicant submits that the claims now pending are now in condition for allowance. A Notice of Allowance is, therefore, respectfully requested.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4403.

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Respectfully submitted,



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